

*B4*  
*contd.*

identifying one or more lines of an audio conference associated with the one of the at least one other resource; and  
allocating the one or more lines to one of the first or second resources.

#### REMARKS

This Amendment and Response is filed in reply to the Office Action dated May 21, 2002. The issues presented in the Office Action are addressed below with reference to the numbered paragraphs in the Office Action. The references are as provided in the previous Office Action of November 29, 2001.

With regard to the Office Action, paragraph 1: The Examiner has rejected claims 1, 2, 4-7, 12, 13, 15-17, and 23 under 35 U.S.C. 102(b), as being anticipated by Shaffer et al. (EP 0 805 582).

With regard to the Office Action paragraphs 2 and 3: The Examiner has rejected claims 3, 10, 11, 14 and 19-22 under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. and has rejected claim 18 under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. in view of Wagner et al. (U.S. Patent No. 5,761,292).

The rejections are respectfully traversed and Applicants respectfully request reconsideration in view of the amendments and remarks.

In order to move prosecution of the application forward, a telephone interview with the Examiner was requested. Applicants wish to thank the Examiner for granting the interview and for the time and courtesy provided in considering proposed amendments to the application. In a telephone interview dated September 19, 2002, the Shaffer et al. reference was discussed. During the interview, Applicants noted that Shaffer et al. appear to teach reconfiguring conference call connectivity among a number of distinct PBX systems (1, 2, 3), utilizing the conference bridges (10, 52, 78) of each of the distinct PBX's (1, 2, 3).

Applicants, on the other hand, recite *managing channels within an audio conferencing system*. As can be clearly seen from Fig. 1, and as described (page 5, lines 10-15), the system 100 can be used in a PBX environment, with the network interface

cards coupled to one or more lines of an external communication network and connected by a bus to a switch in the individual digital signal processing units. A call associated with a conference is received on a channel at one of the network cards from the external communication network and the system, based on spacing parameters for digital signal processing resources within the digital signal processing units, *identifies one of the digital signal processing resources having a predetermined capacity to receive the conference and maps the channel to one of the plurality of channels of the resource*. If the resource does not have the capacity, the system *moves at least one of the channels associated with a second conference to another resource*.

Applicants have amended independent claims 1, 10 and 19 to recite, among other things, that the *output for any respective conference is provided by summing a predetermined number of channels having the highest talk levels determined by comparing talk levels of channels across the resources having channels associated with the respective conference*. Thus, Applicants' system 100 is more clearly seen to be a single system for managing channels of conferences, i.e., Applicants' system can be compared to a single conference bridge in the Shaffer et al. system.

Shaffer et al. do not teach or suggest *determining, for respective conferences, a predetermined number of highest talk level channels associated with the respective conferences based on a comparison of channels of the resources having channels associated with the respective conference, where the predetermined number is independent of the total number of resources having channels associated with the respective conference*. As the Shaffer et al. system and method includes multiple conference bridges, each conference bridge would independently determine its highest talk level channels and sum those channels as output. As an example, if the three highest talk level channels are to be summed as output for a conference, each of the conference bridges (10, 52, 78) in Shaffer et al. would sum three such channels, making a total of nine channels as output for the conference. Applicants, on the other hand, would determine the three highest talk level channels of the channels associated with the conference and would sum and output the three highest talk level channels regardless of the number of resources having channels associated with the conference.

In the telephone interview of September 19, 2002, the Examiner considered the above amendment and indicated his agreement that the Shaffer et al. system utilizes a number of distinct conference bridges. Based on the reasoning above and the discussions with Examiner, Shaffer et al. is not considered to anticipate the independent claims 1, 10 and 19 and the claims are considered to be patentable over Shaffer et al. The rejection of claim 18 is deemed moot in light of the amendments. Thus claims 1, 10 and 19 are deemed to be in condition for allowance. Claims 2-7, 11-18 and 20-23 are also deemed to be in condition for allowance at least by their respective dependency on claims 1, 10 and 19.

The claim amendments should in no way be construed to be an acquiescence to any of the rejections. The amendments to the claims are being made solely to expedite the prosecution of the above-identified application. Applicant reserves the option to further prosecute the same or similar claims in the instant or subsequent patent applications.

### CONCLUSION

Based on the above Amendments and Remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicant's attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617)832-1175.

Respectfully submitted,

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## Marked-up version of claims:

1. (Amended) A method for managing channels within an audio conferencing system comprising:

receiving a call on a channel, the call associated with a conference;

identifying a first resource having a predetermined capacity to receive additional conferences, the first resource having a plurality of channels and operating under control of a processor to handle audio conferences; [and]

mapping [adding] the channel to [the conference] one of the plurality of channels of the first resource if the [resource has a] capacity of the first resource is sufficient to add the channel[, and];

moving [a channel] at least one of the plurality of channels of the first resource associated with a second conference to [a second] at least one other resource if the [resource does not have the] capacity of the first resource is not sufficient to add the channel;

for respective conferences, determining a predetermined number of highest talk level channels associated with the respective conference based on a comparison of channels of the resources having channels associated with the respective conference, the predetermined number independent of a total number of resources having channels associated with the respective conference; and

summing the predetermined number of highest talk level channels as output for the respective conference.

10. (Amended) A method for managing conferences within an audio conferencing system, the method comprising:

identifying a first resource with a predetermined capacity to receive additional conferences, the first resource having a plurality of channels and operating under control of a processor to handle audio conferences;

identifying a second resource with a predetermined capacity to receive additional conferences, the second resource having a plurality of channels and operating under control of a processor to handle audio conferences, the capacity of the second resource

being less than the capacity of the first resource, and the second resource including a conference;[ and]

moving the conference on the second resource to the first resource if the first resource has a capacity to include the conference, and attempting to identify a third resource if the first resource does not have the capacity to include the conference;

for respective conferences, determining a predetermined number of highest talk level channels associated with the respective conference based on a comparison of channels of the resources having channels associated with the respective conference, the predetermined number independent of a total number of resources having channels associated with the respective conference; and

summing the predetermined number of highest talk level channels as output for the respective conference.

19. (Twice Amended) A method for managing audio conferencing resources comprising:

detecting a loss of a first physical resource, the first physical resource being a resource for conducting at least one audio conference;

identifying one or more audio conferences of the at least one audio conference associated with the first physical resource;

identifying a second physical resource, the second physical resource being a resource for conducting at least one audio conference, and the second physical resource having a capacity for the one or more conferences;[ and]

allocating the one or more conferences to the second physical resource;  
for respective conferences, determining a predetermined number of highest talk level channels associated with the respective conference based on a comparison of channels of the physical resources having channels associated with the respective conference, the predetermined number independent of a total number of physical resources having channels associated with the respective conference; and

summing the predetermined number of highest talk level channels as output for the respective conference.

23. (Twice Amended) The method of claim 1, comprising:

detecting a loss of one of the at least one other [another] resource;

identifying one or more lines of an audio conference associated with the one of the at least one other resource; and

allocating the one or more lines to one of the first or second resources.